## UNITED STATES COURT OF APPEALS

## FILED

FOR THE NINTH CIRCUIT

JAN 07 2003

FILE U.A. AND CATHY A. CATTERSON, CLERK U.S. DISTANCE OF U.S. COURT OF APPEALS Lower Court Docket Number: 03-35006 EASTERN DISTRICT OF V. COURT OF APPEALS Lower Court Docket Number: CV-00-00482-AAM

TERRY EUGENE TONASKET

JAN 14 2003

Plaintiff - Appellant

JAMES H. CARTSON, GLERK
DEPUTY
YAKIMA, WASHINGTON

v.

FREDERICK KIGA, Director, Washington State Department of Revenue; GARY O'NEIL, Assistant Director, Special Programs Division; BRIAN MORAN, District Manager, Spokane Office of the Washington State Department of Revenue; GARY W. GILBERT, Chief of Enforecement and Education, Washington State Liquor Control Board; ROBERT J. STAMPER, District Manager of the Washington State Liquor Control Board for Regions 5 and 6, Eastern Washington District; The Washington State Department of Revenue and the Washington State Liquor Control Board; OTHER UNKNOWN EMPLOYEES; AGENTS AND ATTORNEYS OF THE WASHINGTON STATE DEPARTMENT OF REVENUE; OTHER UNKNOWN EMPLOYEES AND AGENTS OF THE WASHINGTON STATE LIQUOR CONTROL BOARD; WASHINGTON STATE DEPARTMENT OF REVENUE; WASHINGTON STATE LIQUOR CONTROL

Defendants - Appellees

## TIME SCHEDULE ORDER

The parties shall meet the following time schedule:

-> Appellant/petitioner's opening brief and excerpts of record shall be served and filed pursuant to FRAP 32 and Circuit Rule 32-1;

2/18/03

-> The brief of appellee/respondent shall be filed and served, pursuant to FRAP 32 and Circuit Rule 32-1;

3/20/03

-> The optional appellant/petitioner reply brief shall be filed and served within fourteen days of/14/03 service of the appellee/respondent's brief, pursuant to FRAP 32 and Circuit Rule 32-1.

FAILURE OF THE APPELLANT TO COMPLY WITH THE TIME SCHEDULE ORDER WILL RESULT IN AUTOMATIC DISMISSAL OF THE APPEAL. CIRCUIT RULE 42-1.

APPELLANTS/PETITIONERS WITHOUT REPRESENTATION OF COUNSEL IN A PRISONER APPEAL MAY HAVE THEIR CASE SUBMITTED ON THE BRIEFS AND RECORD WITHOUT ORAL ARGUMENT, PURSUANT TO FRAP 34(a). WITHIN 10 DAYS OF THE FILING OF THE APPELLANT'S OPENING BRIEF, PARTIES MAY FILE A STATEMENT SETTING FORTH THE REASONS WHY, IN THE OPINION OF THE PARTIES, ORAL ARGUMENT SHOULD BE HEARD.

FOR THE COURT:

Cathy A. Catterson Clerk of Court

By: Leo G. Divinagracia

Deputy Clerk